IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE ELEVENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 63 of 2005

Between:

Ramagiri Rajeswari W/o.Shankar
Tandur Vg&Mandal, Adilabad Dist.

..... PETITIONER

AND

1 The Authorised Officer, Land Reforms Tribunal,Asifabad
2 The Sub-Collector Asifabad, Adilabad Dist,.
3 The Mandal Revenue Officer Tandur Mandal Tandur,
4 The Mandal Revenue Inspector Tandur Mandal Tandur,

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more in the nature of writ of mandamus directing the respondents herein to continue the petitioner in piossession of the land in Sy.No. 636/1/2 extent Ac 0.42; Sy.No.770/2 extent 0.20; and Sy.No.779/1 extent A.c. 1.00 total Ac.1.62 cents situated at Tandur Vg. &Mandal, Adilabad Dist for a period of 30 das i.e. four weeks from the date of passing of the final orders vide Proc.Ref No. E/569/75, dt 27-12-2004 passed by the Land Reforms Tribunal, Asifabad i.e. Order to make possession of the lands surrendered or deemed to be surrendered under Sec.11 of the Act' to enable the petitioner to avail the statutory remedy available i.e. appeal remedy under Sec.20 of A.P.Land Reforms (Ceiling on Agriculture Holdings) Act 1973 by duly delcaring the action of the second respondent directing the petitioner to deliver the possession of the above said land by 7-1-2005 failing which directing the 4th respondent to take ossession of her land as illegal, arbitrary and contrary to the provisions of A.P.Land Reforms (Ceiling on Agricultural Holdings) Act, 1973.

Counsel for the Petitioner: MR.V.RAVI KIRAN RAO

Counsel for the Respondents: GP FOR REVENUE

The Court made the following ORDER:

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for respondents.

Against any order passed by the Land Reforms Tribunal, an appeal lies to the Appellate Tribunal within 30 days under the A.P.Land Reforms (Ceiling on Agriculture Holdings) Act 1973 (for short 'the Act').

In the present case, the Land Reforms Tribunal, Asifabad, by order dated 27.12.2004 declared the petitioner as a surplus landholder and even before expiry of the statutory period for filing an appeal, the second respondent-Sub-Collector, Asifabad, Adilabad District, enforced the surrender order, as a result of which, the petitioner could not avail the remedy of appeal.

In view of the same, the impugned notice issued in Form No.IX by the second respondent shall not be enforced till the appeal period is expired.

The writ petition is accordingly disposed of. No costs.

_____

A.Gopal Reddy

Date: 11.01.2005

va

To

1 The Authorised Officer, Land Reforms Tribunal,Asifabad
2 The Sub-Collector Asifabad, Adilabad Dist,.
3 The Mandal Revenue Officer Tandur Mandal Tandur,
4 The Mandal Revenue Inspector Tandur Mandal Tandur,

5 Two CCs to G.P. for Revenue, High Court of A.P. Buildings, Hyderabad (OUT)

6 Two CD Copies